

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 07, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOEL PEREZ-RODRIGUEZ,

Defendant.

No. 4:15-cr-6021-EFS

**ORDER GRANTING
DEFENDANT'S FIFTH MOTION TO
MODIFY CONDITIONS OF
RELEASE**

Before the Court, without oral argument, is Defendant Joel Perez-Rodriguez's Fifth Motion to Modify Conditions of Release.¹ Pursuant to 18 U.S.C. § 3142(c)(3), Defendant asks the Court to modify the "curfew" release condition (Condition No. 18) to allow him additional time to return home after his late-night work shift at a convenience store.² Defendant regularly works past the 10:00 p.m. curfew. When he does so, Defendant must so advise the Pretrial Services Office.

¹ ECF No. 134.

² Condition No. 18 reads: "**Curfew:** Defendant shall be restricted to his/her residence every day from **10:00 p.m. to 4:00 a.m.**, or as otherwise directed by the Pretrial Services Office." ECF No. 22.

1 Defendant seeks to modify the curfew condition to permit him to be at his
2 residence, place of employment, or traveling directly between the two locations
3 during the curfew-restricted hours.

4 The U.S. Probation Office has no objection to Defendant's request, although
5 it does not believe modifying the curfew condition is necessary. The United States
6 defers to the U.S. Probation Office and the Court on this matter.

7 Because Defendant has complied with his conditions of release and there is
8 no objection to this request, **IT IS HEREBY ORDERED:**

9 1. Defendant's Fifth Motion to Modify Conditions of Release, **ECF**
10 **Nos. 134**, is **GRANTED**.

11 2. Condition No. 18's curfew restriction is modified as follows:

12 **Curfew:** Defendant shall be restricted to his residence, place of
13 employment, or travelling directly between the two locations, every
14 day from **10:00 p.m. to 4:00 a.m.**, or as otherwise directed by the
15 Pretrial Services Office.

16 3. All other conditions of release remain in full effect.

17 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
18 to provide copies to counsel and the U.S. Probation Office.

19 **DATED** this 7th day of October 2020.

20 _____
s/Edward F. Shea

21 EDWARD F. SHEA
22 Senior United States District Judge